

Frequently Asked Questions

Regarding Changes to Criminal Justice Policy In Montgomery County

Has Montgomery County's welcoming climate toward immigrants changed?

Not at all. Montgomery County simply wants to improve and ensure the public safety of **all** people who live in the County. We recognize the immense contribution that immigrants make to the social and economic fabric of our society and will continue to protect and support our immigrant communities.

What is the new criminal justice policy?

The names of **all** people arrested for violent crimes and illegal handgun possession will be sent to Immigration and Customs Enforcement (ICE). For example if you are arrested for allegedly killing or robbing someone, the Police will call ICE to let them know you are in custody.

Who is affected by this change in policy?

Any person arrested for a violent crime or weapon violation (all people including U.S. citizens, foreigners, documented or undocumented). Victims and witnesses will continue to be unaffected by this policy and they will **not** be asked about their status.

Will this affect a person if he/she is detained for a minor crime?

No, this only affects people arrested for murder, rape, certain types of assaults; carjacking, sexual assault, arson, robbery, and weapons violations (see other side for full list).

Why did the County change its policy?

This new policy can assist the County in helping to keep a segment of violent offenders off the streets.

Can the police ask me about my legal status?

Montgomery County police officers have not and will not have the authority to ask you about your legal status. However, currently, if a person is arrested or questioned by County police officers during a routine stop and the person has a deportation order (verified through the National Crime Information Center), ICE is informed that the person is in custody as are other authorities in the case of a criminal warrant. The County will have no tolerance for racial or ethnic profiling of any kind.



Information continues on the back.

What will happen if a person is arrested for a violent crime?

ICE will be called and they will decide if they wish to detain the person. If found guilty of the alleged crime, they will still have to serve the sentence before proceeding with the ICE process.

How can a person be sure that an officer will not call ICE for a routine stop?

Our officers work with the community to solve crimes and they follow clear directives set by Chief Manger. However if you feel that you or someone you know have been wrongfully detained or questioned by a Montgomery County Police Officer, we want to hear from you. Please call the County Executive's Latino Liaison, Karla Silvestre, 240-777-2525 or you can file a complaint directly to internal affairs (form can be found at www.montgomerycountymd.gov/police). Chief Manger would also be glad to hear from you at mcpdchief@montgomerycountymd.gov.

“Crimes of violence” defined.

- In this section, “crime of violence” means:

1. abduction;
2. arson in the first degree;
3. kidnapping;
4. manslaughter, except involuntary manslaughter;
5. mayhem;
6. maiming;
7. murder;
8. rape;
9. robbery;
10. carjacking;
11. armed carjacking;
12. sexual offense in the first degree;
13. sexual offense in the second degree;
14. use of a handgun in the commission of a felony or other crime of violence;
15. child abuse in the first degree;
16. sexual abuse of a minor;
17. an attempt to commit any of the crimes described in items (1) through (16) of this subsection;
18. continuing course of conduct with a child;
19. assault in the first degree;
20. assault with intent to murder;
21. assault with intent to rape;
22. assault with intent to rob;
23. assault with intent to commit a sexual offense in the first degree;
24. assault with intent to commit a sexual offense in the second degree.